

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Michael Garza**PRINCIPAL****United States****Case Number:****YOB:** 1984**M-20- 381 -M**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 8, 2020 in Starr County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Andres Jeronimo-Ramirez and Iris Xiomara Avila-Salinas, citizens and nationals of Guatemala and Honduras, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
 I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On February 8, 2020, Border Patrol agents responded to sensor and camera activations approximately $\frac{1}{4}$ miles north of the Rio Grande River in Rio Grande City, Texas. This area is notorious for alien and narcotic smuggling due to its close proximity to the Rio Grande River. A few moments later agents arrived at a parking lot, which is a known loading location for illegal activities, north of the camera activation. Agents witnessed a small blue sport utility vehicle (SUV) exiting the parking lot with at least five (5) visible occupants. There were no other vehicles entering or exiting the area. Based on their observations, agents initiated a vehicle stop to conduct an immigration inspection on the occupants of the blue SUV. The blue SUV failed to yield as the agents activated the emergency equipment and sped off above the posted speed limit on the highway.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Approved by Scott V. Greenbaum 2/10/2020
 Loretta J. Hulme, AUSA

Yes No

Signature of Complainant

Maria GuerreroBorder Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

February 10, 2020

Date

at McAllen, Texas

City and State

Juan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20-381 -M

RE: Michael Garza

CONTINUATION:

The vehicle entered into a residential area traveling above the posted speed limit, striking a stop sign and damaging a city owned fence surrounding irrigation pumps. The blue SUV continued speeding and jumped a curb, damaging several privately owned palm trees, and came to a complete stop at an intersection. Agents witnessed approximately eight (8) subjects run from the blue SUV, one of which was wearing a white shirt and red shorts. Five (5) subjects, to include Andres Jeronimo-Ramirez and Iris Avila-Salinas, were located in the immediate area of the blue SUV and found to be illegally present in the United States.

A property owner, near the abandoned blue SUV, relayed to agents that they witnessed subjects running from the vehicle, noting that the subject exiting the driver's seat was wearing a white shirt and red shorts. The property owner directed agents to the driver who was trespassing through their property. The agents encountered a male subject, later identified as United States Citizen Michael Garza, wearing a white shirt and red shorts matching the description given by the concerned citizen.

All of the subjects were placed under arrest and transported to the Rio Grande City Border Patrol Station for processing.

Principal Sworn Statement:

Michael Garza, a United States Citizen, was advised of his Miranda Rights, stated he understood his Miranda Rights, and declined to provide a sworn statement.

Material Witness #1 Sworn Statement:

Andres Jeronimo-Ramirez, a citizen of Guatemala, was advised of his Miranda Rights, stated he understood his Miranda Rights, and agreed to provide a sworn statement.

Jeronimo stated that after crossing the Rio Grande River, an unknown man guided him and approximately ten (10) other individuals through the brush for several minutes and then instructed them to get into a dark colored SUV. Jeronimo got into the cargo compartment of the SUV and was lying on top of others without a seatbelt. Jeronimo feared for his life as the SUV proceeded to drive fast and uncontrollably over what was perceived to be a tree and curb. Once the vehicle came to a stop he and the other occupants ran from the vehicle. Jeronimo stated he was going to pay \$2,000 once he made it to Houston, Texas. Jeronimo was shown a photo line-up and was able to identify Garza as the driver of the blue SUV.

Material Witness #2 Sworn Statement:

Iris Avila-Salinas, a citizen of Honduras, was advised of her Miranda Rights, stated she understood her Miranda Rights, and agreed to provide a sworn statement.

Avila stated that after crossing the Rio Grande River, an unknown male guided her and the rest of the group to a small blue SUV and told them to get in. Prior to getting into the rear compartment of the vehicle, Avila was able to see that the driver was wearing a white shirt. While unrestrained in the vehicle, Avila feared for her life as the vehicle accelerated rapidly and drove uncontrollably hitting an iron post and a curb. When the vehicle came to a stop, everyone got out and ran. Avila stated she was going to pay \$2,500 once she arrived in Austin, Texas. Avila was shown a photo line-up and was able to identify Garza as the driver of the blue SUV.